

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-02516-JEB**

AMERICAN CENTER FOR LAW AND JUSTICE v. UNITED
STATES DEPARTMENT OF STATE
Assigned to: Judge James E. Boasberg
Cause: 05:552 Freedom of Information Act

Date Filed: 12/26/2016
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**AMERICAN CENTER FOR LAW
AND JUSTICE**

represented by **Abigail A. Southerland**
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V.

Defendant

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Date Filed	#	Docket Text
12/26/2016	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF STATE (Filing fee \$ 400 receipt number 0090-4788137) filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet, # <u>4</u> Summons US Dept. of State, # <u>5</u> Summons US Dept. of Justice, # <u>6</u> Summons US Attorney for DC)(Sekulow, Jay) (Entered: 12/26/2016)
12/26/2016	<u>2</u>	NOTICE of Appearance by Jay Alan Sekulow on behalf of AMERICAN CENTER FOR LAW AND JUSTICE (Sekulow, Jay) (Entered: 12/26/2016)
12/26/2016	<u>3</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN CENTER FOR LAW AND JUSTICE (Sekulow, Jay) (Entered: 12/26/2016)
12/26/2016	<u>4</u>	NOTICE of Appearance by Stuart J. Roth on behalf of AMERICAN CENTER FOR LAW AND JUSTICE (Roth, Stuart) (Entered: 12/26/2016)
12/26/2016	<u>5</u>	NOTICE of Appearance by Colby Mims May on behalf of AMERICAN CENTER FOR LAW AND JUSTICE (May, Colby) (Entered: 12/26/2016)
12/26/2016	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Craig L. Parshall, :Firm- American Center for Law and Justice, :Address- 201 Maryland Ave., NE, Washington, DC 20002. Phone No. - 202-546-8890. Fax No. - 202-546-9309 Filing fee \$ 100, receipt number 0090-4788142. Fee Status: Fee Paid. by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Roth, Stuart) (Entered: 12/26/2016)
12/26/2016	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Matthew R. Clark, :Firm- American Center for Law and Justice, :Address- 201 Maryland Ave., NE, Washington, DC 20002. Phone No. - 202-546-8890. Fax No. - 202-546-9309 Filing fee \$ 100, receipt number 0090-4788143. Fee Status: Fee Paid. by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Roth, Stuart) (Entered: 12/26/2016)
12/26/2016	<u>8</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Benjamin P. Sisney, :Firm- American Center for Law and Justice, :Address- 201 Maryland Ave., NE, Washington, DC 20002. Phone No. - 202-546-8890. Fax No. - 202-546-9309 Filing fee \$ 100, receipt number 0090-4788144. Fee Status: Fee Paid. by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Roth, Stuart) (Entered: 12/26/2016)
12/27/2016		Case Assigned to Judge James E. Boasberg. (sb) (Entered: 12/27/2016)
12/27/2016	<u>9</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(sb) (Entered: 12/27/2016)
01/03/2017		MINUTE ORDER granting <u>6</u> Motion for Admission <i>Pro Hac Vice</i> of CRAIG L. PARSHALL. Signed by Judge James E. Boasberg on 1/3/2017. (lcjeb1) (Entered: 01/03/2017)
01/03/2017		MINUTE ORDER granting <u>6</u> Motion for Admission <i>Pro Hac Vice</i> of MATTHEW R. CLARK. Signed by Judge James E. Boasberg on 1/3/2017. (lcjeb1) (Entered: 01/03/2017)
01/03/2017		MINUTE ORDER granting <u>6</u> Motion for Admission <i>Pro Hac Vice</i> of BENJAMIN P. SISNEY. Signed by Judge James E. Boasberg on 1/3/2017. (lcjeb1) (Entered: 01/03/2017)
01/04/2017	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/30/2016. Answer due for ALL FEDERAL DEFENDANTS by 1/29/2017. (Sisney, Benjamin) (Entered: 01/04/2017)
01/04/2017	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF STATE served on 12/30/2016 (Sisney,

		Benjamin) (Entered: 01/04/2017)
01/04/2017	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/30/2016. (Sisney, Benjamin) (Entered: 01/04/2017)
01/26/2017	<u>13</u>	Unopposed MOTION for Extension of Time to <i>respond to Complaint</i> by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Powers, James) (Entered: 01/26/2017)
01/26/2017		MINUTE ORDER granting <u>13</u> Motion for Extension of Time to File. The Court ORDERS that Defendant shall file its Response to Plaintiff's Complaint on or before March 1, 2017. Signed by Judge James E. Boasberg on 1/26/2017. (lcjeb1) (Entered: 01/26/2017)
01/26/2017		Set/Reset Deadlines: Responses due by 3/1/2017. (nbn) (Entered: 01/27/2017)
02/28/2017	<u>14</u>	MOTION to Dismiss <i>Count II of the Complaint</i> by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Powers, James) (Entered: 02/28/2017)
02/28/2017	<u>15</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF STATE.(Powers, James) (Entered: 02/28/2017)
03/01/2017		MINUTE ORDER: The Court ORDERS that the parties shall meet, confer, and jointly propose a briefing schedule by March 15, 2017, concerning Count I of the Complaint. Signed by Judge James E. Boasberg on 3/1/2016. (lcjeb1) (Entered: 03/01/2017)
03/01/2017		Set/Reset Deadlines: Joint Briefing Schedule due by 3/15/2017. (nbn) (Entered: 03/01/2017)
03/13/2017	<u>16</u>	Joint MOTION for Extension of Time to <i>File Proposed Briefing Schedule</i> by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Powers, James) (Entered: 03/13/2017)
03/13/2017		MINUTE ORDER granting <u>16</u> Motion for Extension of Time to File. The Court ORDERS that the parties shall submit a proposed briefing schedule or Joint Status Report concerning Count I of the Complaint by May 15, 2017. Signed by Judge James E. Boasberg on 3/13/2017. (lcjeb1) (Entered: 03/13/2017)
03/13/2017		Set/Reset Deadlines: Joint Status Report due by 5/15/2017. (nbn) (Entered: 03/14/2017)
03/14/2017	<u>17</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Abigail A. Southerland, :Firm– American Center for Law and Justice, :Address– 625 Bakers Bridge Avenue, Ste. 105–121, Franklin, Tennessee 37067. Phone No. – (615) 599–5572, ext 4006. Fax No. – (615) 599–5189 Filing fee \$ 100, receipt number 0090–4874805. Fee Status: Fee Paid. by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Sisney, Benjamin) (Entered: 03/14/2017)
03/14/2017	<u>18</u>	Memorandum in opposition to re <u>14</u> MOTION to Dismiss <i>Count II of the Complaint</i> filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Sekulow, Jay) (Entered: 03/14/2017)
03/15/2017		MINUTE ORDER granting <u>17</u> Motion for Leave to Appear <i>Pro Hac Vice</i> of ABIGAIL A. SOUTHERLAND. Signed by Judge James E. Boasberg on 3/15/2017. (lcjeb1) (Entered: 03/15/2017)
03/21/2017	<u>19</u>	REPLY to opposition to motion re <u>14</u> MOTION to Dismiss <i>Count II of the Complaint</i> filed by UNITED STATES DEPARTMENT OF STATE. (Powers, James) (Entered: 03/21/2017)
04/17/2017	<u>20</u>	ORDER granting Defendant's <u>14</u> Motion to Dismiss. Signed by Judge James E. Boasberg on 4/17/17. (lcjeb2) (Entered: 04/17/2017)
04/17/2017	<u>21</u>	Memorandum Opinion re <u>20</u> Order on Motion to Dismiss. Signed by Judge James E. Boasberg on 4/17/17. (lcjeb2) (Entered: 04/17/2017)

04/24/2017	<u>22</u>	MOTION to Amend/Correct <u>1</u> Complaint, by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Amended Complaint, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Text of Proposed Order)(Southerland, Abigail) (Entered: 04/24/2017)
05/08/2017	<u>23</u>	Memorandum in opposition to re <u>22</u> MOTION to Amend/Correct <u>1</u> Complaint, filed by UNITED STATES DEPARTMENT OF STATE. (Powers, James) (Entered: 05/08/2017)
05/12/2017	<u>24</u>	REPLY to opposition to motion re <u>22</u> MOTION to Amend/Correct <u>1</u> Complaint, filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Southerland, Abigail) (Entered: 05/12/2017)
05/15/2017	<u>25</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Powers, James) (Entered: 05/15/2017)
05/16/2017		MINUTE ORDER: Per the parties' <u>25</u> Joint Status Report, the Court ORDERS that they shall submit a further such Report by June 26, 2017. Signed by Judge James E. Boasberg on 5/16/2017. (lcjeb1) (Entered: 05/16/2017)
05/16/2017		Set/Reset Deadlines: Joint Status Report due by 6/26/2017. (nbn) (Entered: 05/16/2017)
06/08/2017	<u>26</u>	ORDER GRANTING Plaintiff's <u>22</u> Motion for Leave to File and Amended Complaint. The Court ORDERS that Defendant shall answer the Amended Complaint on or before June 22, 2017. Signed by Judge James E. Boasberg on 6/8/17. (lcjeb2) (Entered: 06/08/2017)
06/08/2017	<u>27</u>	MEMORANDUM OPINION re <u>26</u> Order on Motion for Leave to File an Amended Complaint. Signed by Judge James E. Boasberg on 6/8/17. (lcjeb2) (Entered: 06/08/2017)
06/08/2017		Set/Reset Deadlines: Answer due by 6/22/2017. (nbn) (Entered: 06/09/2017)
06/08/2017	<u>28</u>	AMENDED COMPLAINT against UNITED STATES DEPARTMENT OF STATE filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(znmw) (Entered: 06/09/2017)
06/19/2017	<u>29</u>	Unopposed MOTION for Extension of Time to <i>Respond to Amended Complaint</i> by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Powers, James) (Entered: 06/19/2017)
06/19/2017		MINUTE ORDER GRANTING <u>29</u> Motion for Extension of Time to File. The Courts ORDERS that Defendant shall respond to the Amended Complaint on or before July 7, 2017. Signed by Judge James E. Boasberg on 6/19/2017. (lcjeb1) (Entered: 06/19/2017)
06/19/2017		Set/Reset Deadlines: Responses due by 7/7/2017. (znbn) (Entered: 06/20/2017)
06/26/2017	<u>30</u>	Joint STATUS REPORT by AMERICAN CENTER FOR LAW AND JUSTICE. (Southerland, Abigail) (Entered: 06/26/2017)
06/27/2017		MINUTE ORDER: In response to the parties' <u>30</u> Joint Status Report, the Court ORDERS that State shall process 400 pages of potentially responsive documents per month and shall make its first production by July 28, 2017. Any extension shall require compelling circumstances and leave of Court. Signed by Judge James E. Boasberg on 6/27/17. (lcjeb2) (Entered: 06/27/2017)
06/27/2017		Set/Reset Deadlines: State shall process 400 pages of potentially responsive documents per month and shall make its first production by 7/28/2017. (nbn) (Entered: 06/27/2017)
07/07/2017	<u>31</u>	ANSWER to <u>28</u> Amended Complaint by UNITED STATES DEPARTMENT OF STATE. Related document: <u>28</u> Amended Complaint filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Powers, James) (Entered: 07/07/2017)
07/07/2017		MINUTE ORDER: The Court ORDERS that the parties shall meet, confer, and submit a joint proposed schedule for proceeding on Count II by July 21, 2017. Signed by Judge James E. Boasberg on 7/7/2017. (lcjeb1) (Entered: 07/07/2017)

07/07/2017		Set/Reset Deadlines: Meet & Confer Statement due by 7/21/2017. (nbn) (Entered: 07/11/2017)
07/21/2017	<u>32</u>	PROPOSED BRIEFING SCHEDULE by AMERICAN CENTER FOR LAW AND JUSTICE. (Southerland, Abigail) (Entered: 07/21/2017)
07/24/2017		MINUTE ORDER: The Court ORDERS that Defendant shall file any Motion for Partial Summary Judgment on Count II by August 30, 2017, and Plaintiff's Opposition, which may contain a Rule 56(d) affidavit, shall be due by September 29, 2017. Signed by Judge James E. Boasberg on 7/24/2017. (lcjeb1) (Entered: 07/24/2017)
07/24/2017		Set/Reset Deadlines: Summary Judgment motions due by 8/30/2017. Response to Motion for Summary Judgment due by 9/29/2017. (nbn) (Entered: 07/24/2017)
08/30/2017	<u>33</u>	MOTION for Partial Summary Judgment <i>Regarding Count II</i> by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E)(Powers, James) Modified relief on 8/31/2017 (znmw). (Entered: 08/30/2017)
09/29/2017	<u>34</u>	Memorandum in opposition to re <u>33</u> MOTION for Partial Summary Judgment filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit 1, 2016 OIG Report, # <u>3</u> Text of Proposed Order)(Southerland, Abigail) (Entered: 09/29/2017)
09/29/2017	<u>35</u>	MOTION for Discovery <i>Under Federal Rule Civil Procedure 56(d)</i> by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Southerland, Abigail) (Entered: 09/29/2017)
10/06/2017	<u>36</u>	Memorandum in opposition to re <u>35</u> MOTION for Discovery <i>Under Federal Rule Civil Procedure 56(d) and Reply in Support of <u>33</u> Motion for Partial Summary Judgment</i> filed by UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Response to Statement of Facts, # <u>2</u> Text of Proposed Order)(Powers, James) (Entered: 10/06/2017)
10/06/2017	37	REPLY to opposition to motion re <u>33</u> MOTION for Partial Summary Judgment filed by UNITED STATES DEPARTMENT OF STATE. (See Docket Entry <u>36</u> to view document). (znmw) (Entered: 10/10/2017)
10/12/2017	<u>38</u>	REPLY to opposition to motion re <u>35</u> MOTION for Discovery <i>Under Federal Rule Civil Procedure 56(d)</i> filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Southerland, Abigail) (Entered: 10/12/2017)
11/07/2017	<u>39</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Exhibit A)(Powers, James) (Entered: 11/07/2017)
01/30/2018	<u>40</u>	ORDER GRANTING Defendant's <u>33</u> Motion for Partial Summary Judgment and DENYING Plaintiff's <u>35</u> Motion for Discovery. The Court ORDERS that 1) Defendant's Motion for Partial Summary Judgment is GRANTED; 2) Judgment is ENTERED in favor of Defendant on Count II; 3) Plaintiff's Motion for Discovery is DENIED; and 4) The parties shall appear for a status conference Tuesday, February 13, 2018, at 10:00 a.m. in Courtroom 25. Signed by Judge James E. Boasberg on 1/30/18. (lcjeb1,) Modified to correct Status Date on 2/13/2018 (znbn). (Entered: 01/30/2018)
01/30/2018	<u>41</u>	MEMORANDUM OPINION re <u>40</u> Order on Motions for Partial Summary Judgment and Discovery. Signed by Judge James E. Boasberg on 1/30/18. (lcjeb1) Modified on 1/30/2018 (lcjeb1,). Modified on 1/30/2018 (zlsj). (Entered: 01/30/2018)
02/02/2018		Set/Reset Hearings: Status Conference set for 2/13/2017 at 10:00 AM in Courtroom 25A before Judge James E. Boasberg. (lsj) (Entered: 02/02/2018)
02/06/2018	<u>42</u>	NOTICE of Appearance by Carly F. Gammill on behalf of AMERICAN CENTER FOR LAW AND JUSTICE (Gammill, Carly) (Entered: 02/06/2018)
02/13/2018		Set/Reset Hearings: Status Conference set for 2/13/2018 at 10:00 AM in Courtroom 25 before Judge James E. Boasberg. (znbn) (Entered: 02/13/2018)

02/13/2018		MINUTE ORDER: As discussed in today's status conference, the Court ORDERS that parties shall submit a joint status report on or before August 27, 2018, and shall appear for a status conference on August 30, 2018, at 10 a.m. in Courtroom 25. So ORDERED by Judge James E. Boasberg on 2/13/18. (lcjeb1) (Entered: 02/13/2018)
02/13/2018		Minute Entry for proceedings held before Judge James E. Boasberg: Status Conference held on 2/13/2018. Status Report due by 8/27/2018. Status Conference set for 8/30/2018 at 10:00 AM in Courtroom 25 before Judge James E. Boasberg. (Court Reporter Lisa Griffith) (nbn) (Entered: 02/13/2018)
08/16/2018	<u>43</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to AMERICAN CENTER FOR LAW AND JUSTICE. Attorney Carly F. Gammill terminated. (Southerland, Abigail) (Entered: 08/16/2018)
08/27/2018	<u>44</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Powers, James) (Entered: 08/27/2018)
08/27/2018		MINUTE ORDER: The Court ORDERS that: 1) The parties shall file a joint status report by October 11, 2018; and 2) The hearing set for August 30, 2018, is VACATED. So ORDERED by Judge James E. Boasberg on 8/27/2018. (lcjeb1) (Entered: 08/27/2018)
08/27/2018		Set/Reset Deadlines: Joint Status Report due by 10/11/2018. (znbn) (Entered: 08/27/2018)
08/30/2018	<u>45</u>	NOTICE of Appearance by Olivia F. Summers on behalf of AMERICAN CENTER FOR LAW AND JUSTICE (Summers, Olivia) (Entered: 08/30/2018)
09/24/2018	<u>46</u>	NOTICE of Change of Address by James R. Powers (Powers, James) (Entered: 09/24/2018)
10/11/2018	<u>47</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Powers, James) (Entered: 10/11/2018)
10/11/2018		MINUTE ORDER ADOPTING the parties' <u>47</u> Joint Status Report. The Court ORDERS that the parties shall file a further joint status report by April 11, 2019. So ORDERED by Judge James E. Boasberg on 10/11/2018. (lcjeb1) (Entered: 10/11/2018)
10/11/2018		Set/Reset Deadlines: Joint Status Report due by 4/11/2019. (znbn) (Entered: 10/12/2018)
01/15/2019	<u>48</u>	MOTION to Stay by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Powers, James) (Entered: 01/15/2019)
01/16/2019		MINUTE ORDER: The Court ORDERS that Defendant's <u>48</u> Motion is GRANTED, and the case is STAYED. The Government shall submit a status report within 14 days of the restoration of appropriations. So ORDERED by Judge James E. Boasberg on 1/16/2019. (lcjeb1) (Entered: 01/16/2019)
01/28/2019	<u>49</u>	NOTICE of Restoration of Appropriations by UNITED STATES DEPARTMENT OF STATE re Order on Motion to Stay, (Powers, James) (Entered: 01/28/2019)